

The Honorable John H. Chun

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

STATE OF WASHINGTON, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, in his official
capacity as President of the United States of
America, et al.,

Defendants.

NO. 2:25-cv-00602-JHC

DECLARATION OF JULIE WISE

I, JULIE WISE, declare as follows:

1. I am over the age of 18, competent to testify as to the matters herein, and make this declaration based on my personal knowledge.

2. I am the elected Director of Elections for Martin Luther King, Jr. County (King County). I have held this position since 2016.

3. I have worked as an election administrator for 24 years. From 2013 to 2015, I served as Deputy Director of King County Elections.

4. I am a state and nationally certified election administrator by the Washington Secretary of State and the National Association of Election Officials, respectively.

5. Pursuant to the King County Charter §§ 350.20.50, 610 and 647, the Director of Elections is a non-partisan office elected by the voters of King County to a four-year term. I was

1 first elected Director of King County Elections in November of 2015, and was reelected in 2019,
2 and 2023.

3 6. As Director of Elections, I serve in the role of county auditor for purposes of the
4 provisions of Chapter 29A of the Revised Code of Washington and am “ex officio the supervisor
5 of all primaries and elections” within the county. Wash. Rev. Code § 29A.04.216; Wash. Rev.
6 Code § 29A.04.025.

7 7. King County Elections administers elections in King County, Washington, the
8 most populous county in Washington State and the 13th most populous county in the United
9 States of America.

10 8. King County has over 1.4 million registered voters. It is one of the largest vote-
11 by-mail jurisdictions in the nation.

12 9. Currently, King County Elections has 73 full-time employees. During the period
13 around the 2024 November general election, King County Elections employed as many as 800
14 full-time and temporary employees.

15 10. Among the policies of the State of Washington enacted by the legislature
16 regarding elections is the requirement “to encourage every eligible person to register to vote and
17 to participate fully in all elections, and to protect the integrity of the electoral process by
18 providing equal access to the process while guarding against discrimination and fraud.” Wash.
19 Rev. Code § 29A.04.205.

20 11. As Director of King County Elections, I am committed to increasing both
21 accessibility and security in our elections.

22 12. I have read and am familiar with federal and state laws related to elections,
23 including the provisions of the National Voter Registration Act and the Help America Vote Act.

24 13. I have read Executive Order No. 14,248 and am familiar with its contents.
25
26

1 14. I understand that the executive order requires the Election Assistance
2 Commission (EAC) to change the Federal Form to require documentary proof of United States
3 citizenship.

4 15. I understand that the executive order also requires the EAC to change the Federal
5 Form to require that State and local election officials record on the form information about the
6 documentary proof of citizenship provided by voters.

7 16. I understand that the executive order limits “documentary proof of citizenship”
8 to U.S. passports, REAL ID Act-compliant identification documents that indicate U.S.
9 citizenship; military identification cards that indicate U.S. citizenship, and valid Federal or State
10 government-issued photo identification that either indicates U.S. citizenship or is accompanied
11 by proof of U.S. citizenship.

12 17. As the head election administrator for King County, I take seriously my
13 responsibility to encourage every eligible person to register to vote and to participate fully in all
14 elections. It is my opinion that the executive order’s requirement for voters to provide
15 documentary proof of citizenship would result in mass disenfranchisement of eligible voters in
16 King County—for whom it may be overly burdensome or impossible to present a document
17 proving their citizenship. I am especially concerned this requirement will disproportionately
18 impact King County voters who are elderly, disabled, low-income, students, overseas and
19 military voters, naturalized citizens, live in rural areas, and voters who are historically
20 underrepresented in election participation.

21 18. As written, the executive order is unclear as to whether the requirement for voters
22 to provide documentary proof of citizenship would apply to all currently registered voters or
23 would be limited to a subset of voters, such as voters registering for the first time or updating
24 their voter registrations following a move or legal name change.

25 19. As written, the executive order is unclear as to whether the documentary proof of
26 citizenship provided to state or local officials must be presented in person.

1 20. The executive order has already caused confusion amongst eligible and registered
2 voters, some of whom have called King County Elections concerned that the executive order
3 will deactivate their current voter registration and require them to re-register to vote.

4 21. If the executive order was implemented, I anticipate voter confusion regarding
5 what forms of identification could be provided to comply with the executive order. The executive
6 order lists REAL ID compliant identification and military identification as forms of
7 identification that may be presented as documentary proof of United States citizenship, so long
8 as they indicate that the identification holder is a citizen. However, it is my understanding that
9 Washington State's Enhanced Driver's License, which complies with the REAL ID Act, does
10 not indicate on its face whether the license holder is a U.S. citizen. Similarly, in my experience,
11 many military identification cards do not indicate the citizenship of the card holder on the
12 document.

13 22. Implementation of the executive order's requirement for voters to provide
14 documentary proof of citizenship would result in the need for numerous changes to King County
15 Elections' operations, including new voter registration procedures, changes in employee
16 training, and voter education. However, without clarity on the executive order's requirements,
17 King County Elections is unable to prepare for implementing these changes.

18 23. Moreover, the executive order's proof of citizenship requirement would come at
19 significant cost to King County Elections. The executive order does not provide any funding to
20 support these efforts—or any of its other mandates. At present the King County General Fund,
21 out of which King County Elections is funded, is facing long-term structural shortfalls. What's
22 more, even if the King County Council appropriated additional funds to support implementation
23 of the executive order, per Washington State law, a significant portion of those costs would be
24 passed along to much smaller jurisdictions like school, fire, and water districts that face even
25 larger budget challenges.
26

24. Any change in how voting works also requires substantial voter outreach and education efforts. For example, in 2023, in an effort to bring down signature challenge rates, King County Elections undertook a campaign to encourage voters to update their signatures on file. The printing and mailing costs of this effort alone constituted more than \$1 million dollars. To provide another example, in planning for an upcoming transition to Ranked Choice Voting for the residents of the City of Seattle, King County Elections anticipates the need for a voter education campaign costing upwards of \$5 million dollars.

25. Currently, King County Elections processes anywhere from 300,000 to more than 500,000 voter registrations annually, including new registrations and updated registrations. Federal election years typically experience much higher numbers, as detailed in the chart below. The majority of voters, 80 to 86%, submit voter registrations through the Department of Licensing (DOL) and 8 to 38% submit registrations through the online registration system (OLVR). Only approximately 3 to 6% of voters submit paper forms and even fewer voters, 0.5 to 5%, register in-person. Of those that are registering in-person, on average 77% are registering at one of our seven vote centers open on Election Day and the Saturday and Monday prior to Election Day. Of these registrations, about 40 to 75% are updates to existing registrations.

Year	DOL	% DOL	OLVR	% OLVR	Paper	% Paper	In-person	% In-person	Total
2024	296,101	67.97%	100,661	23.11%	14,601	3.35%	24,265	5.57%	435,628
2023	251,830	85.89%	27,022	9.22%	12,656	4.32%	1,695	0.58%	293,203
2022	266,777	78.13%	47,693	13.97%	17,975	5.26%	8,986	2.63%	341,431
2021	272,796	85.64%	28,137	8.83%	14,925	4.69%	2,675	0.84%	318,533
2020	278,826	51.81%	206,456	38.36%	35,719	6.64%	17,152	3.19%	538,153

26. King County Elections is simply not able to handle registration of King County's 1.4 million voters, or even a fraction of those voters to satisfy the executive order's requirements. Our office is staffed based on the number of registrations we currently receive and the method

1 that the majority of voters clearly prefer, DOL or OLVR. To further illustrate this point, on
2 average in one hour, our staff are able to process 35 to 40 DOL or OLVR registrations, 18 paper
3 registrations, and only about eight in-person registrations. In addition, customer service and
4 parking space at our headquarters is limited as we see so few customers in-person throughout
5 the year. This is the only physical space that we maintain year-round. Vote centers are only open
6 during limited times each year on and prior to election day. Most of our vote centers are in
7 conference rooms at city halls or community centers where space is limited.

8 27. The executive order's requirement for voters to provide documentary proof of
9 citizenship would dramatically increase the number of voters in King County who register in
10 person, in part due to Wash. Rev. Code § 29A.08.140(1), which allows Washington voters to
11 register to vote until 8:00 pm on election day and requires that, in the seven days before election
12 day, voters must appear in person to register to vote. Anticipating and accommodating a
13 significant shift to in-person registration would require King County Elections to expend a great
14 deal of resources that we simply do not have. To maintain voter turnout, it would be crucial to
15 have an extensive voter education campaign informing voters of these changes. Our office would
16 need to establish many more vote center locations and extend hours at all sites. King County
17 Elections would also need to hire a substantial number of short-term staff to process these
18 registrations, which would be difficult to do under the executive order's time constraints as it
19 requires a significant amount of training to accurately process voter registrations. Such a huge
20 shift in our voting system in Washington State would require years to successfully build the
21 infrastructure and implement with resources that do not exist.

22 28. The executive order could result in a bifurcated voting system whereby some
23 voters are eligible to vote for local and state elections under Washington law but would not be
24 eligible to vote in federal elections. Due to the size of our jurisdiction, number of precincts, and
25 the seven languages we provide voting materials in, having a bifurcated system would be
26

1 extremely problematic for our tabulation system and would require double the number of ballot
2 styles.

3 Such a dramatic shift in election operations would create capacity issues and likely cause
4 severe slowdowns that would put at risk our ability to complete tabulation and adjudication of
5 ballots with accuracy prior to certification of the election. An additional concern of administering
6 a bifurcated system is how to handle voters who did not initially meet the federal requirements
7 and received a non-federal ballot and then updated their registration to meet the requirements for
8 a federal ballot before election day as they would then be eligible for races that were not on their
9 original ballot.

10 29. I understand that the executive order interprets federal law to require that all
11 ballots, except for ballots from UOCAVA voters, be received by election day to be counted for
12 federal elections.

13 30. I further understand that the executive order directs the United States Attorney
14 General to take “all necessary action” against States that violate this interpretation of federal law
15 and that the executive order directs the EAC to condition all available funding to States on
16 compliance with this interpretation.

17 31. As noted above, King County is one of the largest vote-by-mail jurisdictions in
18 the nation. In accordance with Washington law, King County voters may currently return their
19 ballots to King County Elections by mailing ballots through the United States Postal Service
20 (USPS) or by placing them in one of King County Elections’ 85 secure ballot drop boxes.

21 32. Pursuant to Wash. Rev. Code § 29A.60.190, all ballots returned to a ballot drop
22 box by 8:00 pm on election day and ballots postmarked on or before election day and received
23 no later than the day before election certification must be counted. This ensures that all ballots
24 in Washington State are voted on or before election day. It is my understanding that this process
25 mirrors that used by the Internal Revenue Service, which considers a tax return filed on time so
26 long as the tax return is postmarked by the due date. I can think of no reason why ballots that

1 have entered the mail stream on or before election day, guaranteeing that they were voted on or
2 before election day, should not be counted.

3 33. For each election in King County, approximately 50 to 60% of ballots are
4 returned by ballot drop box. For a general election, that means King County Elections receives
5 anywhere from 30,000 to 50,000 ballots through the mail after election day. On average 91% of
6 those ballots have on-time postmarks.

7 34. As the Director of King County Elections, I take seriously my responsibility to
8 encourage every eligible person to participate fully in all elections. It is my opinion that the
9 executive order's requirement that ballots be received by election day is a terrible idea. It would
10 result in the disenfranchisement of a significant number of eligible voters in King County and
11 would disproportionately impact voters who are most reliant on our vote-by-mail system,
12 including elderly, disabled, low-income, and rural voters—for whom traveling to a ballot drop
13 box or vote center may be difficult.

14 35. I am further concerned that the executive order's requirement that all ballots be
15 returned by election day comes at a time when the federal government is contemplating
16 significant cuts to USPS that will impact USPS's ability to deliver ballots to King County
17 Elections by election day. In my experience, it is not unusual to have ballots postmarked well
18 before Election Day that are received in our office much later. For example, during our April 22,
19 2025, Special Election, we had a voter whose ballot was postmarked in Texas on April 18, and
20 another voter whose ballot was postmarked in Seattle on April 19. Despite both ballots being in
21 USPS custody several days prior to election day, neither of the ballots was received in our office
22 until May 6. Under the executive order's requirements, voters like these would be
23 disenfranchised.

24 36. I believe that the executive order's requirement that ballots be received by
25 election day would significantly alter voter behavior in Washington State. Accommodating a
26 significant change in how and when voters return their ballots in a manner that maximizes voters'

1 ability to cast their votes would require significant operational changes for King County
2 Elections.

3 37. If we were no longer able to accept ballots with on-time postmarks after election
4 day, more voters would shift to using a ballot drop box to return their ballot. This would result
5 in the need to increase the number of ballot drop boxes available throughout the county and King
6 County Elections staff, both permanent and temporary, to manage the ballot drop box program.

7 Installing and maintaining a ballot drop box is a costly and multi-step process. Each ballot
8 drop box costs approximately \$10,000 to acquire. Prior to installation of each box, a site must
9 be identified for its future location and an agreement worked out with the site owner governing
10 the conditions in which King County Elections may operate the ballot drop box on the property.
11 Ongoing King County Elections operational needs would also increase as each ballot drop box
12 requires a traffic control plan, some of which include traffic control officers, flaggers, traffic
13 signage, and other measures. For larger federal elections we also hire security officers for each
14 ballot drop box location. Law enforcement resources are already challenging to obtain for the 85
15 ballot drop boxes that we currently have. Increasing boxes would make this even more difficult
16 and would put a further strain on our resources.

17 38. Presently, all ballot drop boxes are emptied after closing at 8:00 p.m. on election
18 day, unless there are unforeseen circumstances that make accessing and emptying the box after
19 8:00 p.m. impossible. The executive order's election day ballot receipt deadline could mean that,
20 in those unforeseen circumstances, King County Elections would not be able to count the
21 otherwise-eligible ballots that were voted and placed in ballot drop boxes by 8:00 p.m. on
22 election day.

23 39. Similar to the executive order's documentary proof of citizenship requirement,
24 the executive order's ballot receipt deadline would result in a bifurcated ballot scenario, which
25 would severely impact election administration. Ballots postmarked on or before election day,
26 but not received by King County Elections by Election Day, would not be eligible for counting

1 for federal election contests but would be mandatorily counted under Washington State law for
2 all state and local jurisdiction ballot contests. This scenario would be extremely problematic for
3 our tabulation system and would cause severe slowdowns in our ability to complete tabulation
4 and adjudication of all ballots prior to the election certification deadline.

5 40. The executive order is unclear as to whether or how it would impact the signature
6 resolution process for voters whose ballot was received by election day, but the ballot is
7 challenged for either having no signature or a signature that is not the same as any signatures in
8 the voter registration file. Pursuant to Wash. Rev. Code § 29A.40.110(3) and the standards set
9 forth in Wash. Admin. Code § 434-379-020, the signature resolution process continues up to the
10 day before the election is certified.

11 When a ballot is challenged, King County Elections sends the voter a letter by first class
12 mail advising them that their ballot has been challenged and providing them with a signature
13 resolution form to sign and return in a prepaid envelope addressed to King County Elections. In
14 addition to sending a letter, if the voter provides a phone number on the ballot return envelope
15 or if there is a phone number on file for that voter, King County Elections will place an automated
16 courtesy call to that number after the ballot has been challenged. The courtesy call informs the
17 recipient that there is an issue with the signature on the ballot return envelope and instructs the
18 recipient to contact King County Elections. Within five days of certification, King County
19 Elections will also send an automated mandatory call to any voter with an outstanding signature
20 challenge, provided the voter has a phone number on file or writes one on their return ballot
21 envelope. If the voter provides an email address on the ballot return envelope or if there is an
22 email address on file for that voter, King County Elections also sends emails with the same
23 information. The first email will go out around the same time as the first courtesy calls and then
24 an additional email within five days of certification if the signature challenge is still outstanding.

25 41. Another way that King County Elections ensures election integrity is through
26 regular maintenance of voter rolls. King County Elections maintains voter registration records

1 using data and information from numerous sources in addition to hearing from the voters
2 themselves. The Department of Licensing and the US Postal Service provide data regularly on
3 address updates, new registrations, and signature updates. King County Elections also gets
4 notifications from the Social Security Administration and our staff check obituaries regularly to
5 remove deceased voters from the rolls. Washington State is a member of ERIC (Electronic
6 Registration Information Center), which is a consortium of 24 states plus Washington DC that
7 compares voting data across member jurisdictions. King County Elections, along with all 39
8 counties in Washington, also uses the Secretary of State's VoteWA system for voter registration,
9 which is updated in real-time across county lines. King County Elections also annually reviews
10 voters who appear to be registered at a private mailbox, which is prohibited by Washington State
11 law, proactively reaches out to those voters, and ultimately challenges those registrations if the
12 voters do not update their address.

13 42. I understand that the executive order directs the EAC to amend its Voluntary
14 Voting System Guidelines (VVSG) 2.0 to "provide that voting systems should not use a ballot
15 in which a vote is contained within a barcode or quick-response code in the vote counting process
16 except where necessary to accommodate individuals with disabilities and should provide a voter-
17 verifiable paper record to prevent fraud or mistake."

18 43. I further understand that the executive order directs the EAC to review voting
19 systems and either re-certify voting systems under the amended guidelines or rescind previous
20 certifications. The executive order requires that this occur within 180 days.

21 44. I understand that there are not currently any voting systems in the nation that are
22 in compliance with VVSG 2.0 testing standards.

23 45. Based on my past experience, the EAC's testing and certification process is time
24 consuming and unpredictable. Historically, the EAC has had significant backlogs in its
25 certification process. More recently, VVSG certification has taken approximately six months to
26 complete, barring any unforeseen circumstances.

1 46. Moreover, the executive order's timeline for application of amended VVSG 2.0
2 standards is inconsistent with the realities of election administration. Due to the cyclical and
3 ongoing nature of our elections calendar, we have an extremely limited window of time for
4 making changes to our tabulation system, which occurs in April and May. Changes occurring
5 outside of that timeframe would be highly disruptive to the proper administration of an ongoing
6 election. Section 434-335-190 of the Washington Administrative Code also limits the period in
7 which a Washington County may modify, change, alter, or install voting or vote tabulation
8 systems, equipment, or components by restricting those activities from taking place between
9 June 15 to November 30 each year, without express permission from the Washington Secretary
10 of State. In addition to those concerns, as no tabulation system has yet been certified under the
11 VVSG 2.0 requirements, let alone amended VVSG 2.0 requirements, it is unknown how long
12 certification under the new requirements would take and how the certification process would
13 impact King County Elections operations.

14 47. Implementation of our current tabulation system was a two-year process.
15 Purchasing the tabulation system alone cost more than \$2 million dollars in 2017. Staffing costs
16 associated with the project totaled \$273,000.

17 48. If King County Elections' current voting system is not recertified under the
18 amended VVSG 2.0 testing standards, we might need to purchase a new voting system. I believe
19 acquisition of a new voting system, which would include voting software, a tabulation system,
20 and staffing costs for implementation, would cost more than \$7 million dollars. Moreover,
21 implementation of a new system on a short timeline would interrupt King County Elections
22 operations and be virtually impossible. Furthermore, such an acquisition would take place at a
23 time when numerous election administration agencies throughout the country would also be
24 required to implement new voting systems. The executive order does not provide funding for the
25 costs associated with the acquisition and implementation of a new voting system nor does the
26

1 executive order ensure that voting system vendors will have sufficient supply to meet the needs
2 of all jurisdictions.

3 49. King County Elections uses the Clear Ballot voting system, version 2.3, which
4 was VVSG 1.0 certified by the EAC in October 2022. Certification of our tabulation system is
5 governed by Chapter 29A.12 of the Revised Code of Washington, which requires that the system
6 has been tested and certified by an independent testing authority designated by the EAC but does
7 not require EAC certification. The EAC has two designated Voting System Test Laboratories
8 (VSTL). The Clear Ballot tabulation system used by King County Elections was tested by the
9 Pro V&V laboratory and has been certified by the Washington Secretary of State.

10 50. EAC certification is just one way to ensure election security is being met and
11 King County Elections utilizes numerous other measures to safeguard the integrity of our
12 elections. For example, our tabulation system is on an entirely “closed” or “air-gapped” network,
13 meaning it is not connected in any way, shape, or form to the outside world. Additionally, the
14 tabulation system is located on our secure ballot processing floor which requires security badge
15 access. The tabulation server room itself requires both badge and biometric access; only a
16 handful of employees have access to this room. The King County Elections’ building is also
17 monitored twenty-four hours a day, seven days a week by over 80 security cameras. During an
18 active election we have 15 webcams livestreaming at all hours of the day that show all ballot
19 processing areas, including the tabulation area.

20 The Department of Homeland Security Cybersecurity and Infrastructure Security
21 Agency (CISA) has conducted both physical and cyber security audits and did not find any
22 security concerns with King County Elections’ tabulation system. The Washington State
23 Auditor’s Office has also completed cybersecurity audits and similarly did not find any security
24 concerns with King County Elections’ tabulation system.

25 To demonstrate and confirm the accuracy of the tabulation equipment, prior to each
26 election we conduct a logic and accuracy test. We repeat this test the day before election day.

1 That means we typically conduct eight logic and accuracy tests annually in King County, where
2 elections may be held in February, April, August, and November. Additional logic and accuracy
3 tests are conducted in presidential election years for Washington's Presidential Primary Election.
4 During the logic and accuracy test a pre-marked set of test ballots, with predetermined results,
5 is run through the tabulation system. The results are then tabulated and compared with the pre-
6 existing, known results to verify the system is correctly counting votes as marked.

7 Following each election day, King County Elections also conducts two additional audits,
8 a batch audit and a risk limiting audit. During batch audits we randomly select approximately
9 1,500 ballots and perform a hand count to tally the results of a randomly selected contest. Those
10 results are then compared to the tabulation system's results to prove that the system is counting
11 votes accurately. During risk limiting audits, we take a random sample of individual voted ballots
12 and compare each vote on the marked ballot against the tabulated votes for those individual
13 ballots. This audit provides statistical confidence that the stated winner is truly the winner.

14 51. King County Elections funds its election administration services from three
15 sources: the County's general fund, revenue collected from jurisdictions participating in
16 elections, and grants supporting election administration.

17 52. The EAC awarded an Election Security Grant to King County Elections in 2020.
18 King County Elections has received over \$1,000,000 through this grant, with almost \$400,000
19 remaining. King County Elections has used this funding for, among other things, a second fiber
20 network, a network upgrade, 60 vote center printers, and a security camera replacement project.
21 King County Elections recently sent a notice to the EAC seeking an extension to 2029.

22 53. King County Elections has received and is receiving funding from the
23 Department of Homeland Security's State Homeland Security Program, by way of the King
24 County Office of Emergency Management. A reimbursement request for \$150,000 is currently
25 pending with the Department of Homeland Security for a camera replacement project. King
26

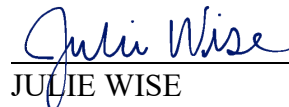
1 County Elections was also recently awarded \$195,000 for ballistic film and a public
2 announcement system. The full amount remains available.

3 54. King County Elections has received and is receiving funding from the Federal
4 Emergency Management Agency's Urban Areas Security Initiative, by way of the King County
5 Office of Emergency Management. Almost \$250,000 remains available for election security
6 workshops and personal protective equipment.

7 55. The executive order is also unclear as to what additional cooperation may be
8 expected by King County Elections in addition to what is detailed above. To comply with the
9 executive order's other unfunded mandates, we may need to hire additional staff members or
10 devote our scarce resources to facilitate compliance with the order.

11
12 I declare under penalty of perjury under the laws of the State of Washington and the
13 United States of America that the foregoing is true and correct.

14 DATED this 29th day of May 2025.

15
16 
17 JULIE WISE